

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | 4:05CR3116 |
| v. |) | |
| |) | |
| URIEL HERNANDEZ RUIZ, |) | |
| |) | MEMORANDUM AND ORDER |
| Defendant. |) | |
| |) | |

Because the defendant has filed an amended motion for pretrial release, proposing the defendant be released on all conditions as I included in the order originally granting that motion, except the posting of a \$20,000 compliance and appearance bond. In reviewing the defendant's proposal and ordering his release, I concluded that a substantial bond would be necessary to reasonably assure his appearance. Defendant's amended motion says he cannot raise money or post property for a bond, thus raising the prohibition of 18 U.S.C § 3142(c)(2). Therefore, I must reexamine the matter. I shall set it for hearing, at which time I will want to hear about what, if anything, can be posted to secure his release, and the source of that money and/or property, or alternatively, what other conditions of release can be proposed as a reasonable substitute.

IT THEREFORE HEREBY IS ORDERED,

Defendant's amended motion for pretrial release, filing 26, shall be called for hearing before the undersigned at the conclusion of the hearing on the motion to suppress, set to commence at 2:30 p.m. December 19, 2005. Should the hearing on the motion for release not conclude at that time, it will again be called for hearing before me on Tuesday, December 20, 2005 at 8:45 a.m. or as soon thereafter as it can be arranged following the Central Violations Bureau hearings now set to commence at 8:30 a.m. that day.

DATED this 15th day of December, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge